IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

WP(C).No. 33031 of 2007(G)

PETITIONER:

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1. K.P.JAYALAL
   EXCISE GUARD
   EXCISE RANGE OFFICE, VAIKOM.

2. E.V.THOMAS, EXCISE GUARD
   KERALA STATE BEVERAGES CORPORATION, FL-9
   KOTTAYAM.

3. K.S.JAYAKUMAR, EXCISE GUARD
   EXCISE RANGE OFFICE, KADUTHURUTHY.

BY ADV. SRI.ELVIN PETER P.J.

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY ITS SECRETARY
   EXCISE DEPARTMENT, SECRETARIAT
   THIRUVANANTHAPURAM.

2. THE COMMISSIONER OF EXCISE, COMMISSIONERATE OF EXCISE
   THIRUVANANTHAPURAM.

3. THE JOINT EXCISE COMMISSIONER, COMMISSIONERATE OF EXCISE
   THIRUVANANTHAPURAM.

4. THE ASSISTANT EXCISE COMMISSIONER, EXCISE DEPARTMENT
   KOTTAYAM.

5. M.SHAMNATH, EXCISE PREVENTIVE OFFICER
   COMMISSIONERATE OF EXCISE, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No.33031 of 2007

Dated this the 28th November, 2007

J U D G M E N T

Petitioners challenge Exhibit-P2 order passed by the Commissioner of Excise by which the 5th respondent has been granted a lien in the posting of Excise Preventive Officer in Kottayam Excise Division. It is submitted that he should not be given a lien in the Kottayam Excise Division since he was appointed in Wayanad District. After the filing of the writ petition, petitioners submitted a comprehensive representation before the Government and has produced the same as Exhibit-P3.

After hearing the learned Government Pleader also, this writ petition is disposed of directing the 1st respondent to look into Exhibit-P3 and take a decision thereon, after hearing the petitioners and the 5th respondent, within two months from the date of receipt of a copy of this judgment.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007